

**RESOLUTION NO. \_\_\_\_\_, SERIES 2008**

**A RESOLUTION DETERMINING ONE PARCEL OF REAL PROPERTY LOCATED IN McNEELY LAKE PARK IN LOUISVILLE/ JEFFERSON COUNTY METRO, KENTUCKY, CONTAINING APPROXIMATELY 2.649 ACRES, AND DESCRIBED ON EXHIBIT A, HERETO, OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (“METRO GOVERNMENT”), GOVERNMENTAL SUCCESSOR TO THE COUNTY OF JEFFERSON, KENTUCKY, AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS SALE AND TRANSFER [AS AMENDED].**

**SPONSORED BY:** Councilman James Peden

**WHEREAS**, according to KRS 67C 101(3)(e), Metro Government, governmental successor to the City of Louisville and County of Jefferson, Kentucky, may enact resolutions for the municipal purpose of sale or conveyance of interests in real property owned by Metro Government; and

**WHEREAS**, Section 2.C of Executive Order No. 3, Series 2007, of the Metro Mayor, provides that Metro Government may sell and convey surplus real estate upon a determination by the Legislative Council of Metro Government (the “Council”) that such property is no longer needed for the governmental purposes of Metro Government; and

**WHEREAS**, the real property which is the subject of this Resolution, a description of which is attached hereto as Exhibit “A”, was previously dedicated by virtue of use, deed, ordinance or any other manner for a public or governmental purpose, but it is no longer needed for such purpose; and

**WHEREAS**, the Director of Louisville Metro Government Development Authority has declared and certified to the council that the real property which is the subject of this Resolution, is surplus to the needs of Metro Government; and

**WHEREAS,** Metro Government wishes to sell the real property which is the subject of this Resolution to Louisville Water Company for \$129,600.00 and subject to and in accordance with the terms and provisions of the Purchase Agreement, a copy of which is attached hereto as Exhibit “B”, in connection with the construction of a water tank on the real property described on Exhibit A, attached hereto, by the Louisville Water Company; and

WHEREAS, it is in the best interest of the citizens of Louisville/Jefferson County Metro that Louisville Water Company purchase the real property which is the subject of this resolution so that the Louisville Water Company can erect a water tank on this property in order to increase the water pressure delivered to its customers.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL AS FOLLOWS:**

**SECTION I.** That the Council determines that the real property described on Exhibit A, attached hereto, is no longer needed to carry out the governmental functions of Metro Government.

**SECTION II.** That the Metro Mayor is hereby authorized to transfer the property named therein, in the manner provided according to Section 2 of Executive Order No. 2, Series 2003, of the Metro Mayor, to Louisville Water Company, for the purchase price of \$129,600.00, subject to and in accordance with the terms and provisions of the Purchase Agreement, a copy of which is attached hereto as Exhibit “B”, without further action by the Council. The money received from this sale shall be put back into McNeely Lake Park.

**SECTION III.** This Resolution shall become effective upon its passage and approval.

\_\_\_\_\_  
**Kathleen J. Herron**  
**Metro Council Clerk**

\_\_\_\_\_  
**Jim King**  
**President of the Council**

\_\_\_\_\_  
**Jerry E. Abramson**  
**Mayor**

**Approved:** \_\_\_\_\_  
**Date**

**APPROVED AS TO FORM AND LEGALITY:**  
**Irv Maze**  
**Jefferson County Attorney**

**BY:** \_\_\_\_\_  
**John A. Wilmes**  
**Assistant Jefferson County Attorney**

Surplus Property – McNeely Lake Park – 25 July 2008 – bkn/jaw/wtw/roc

**CERTIFICATION OF SURPLUS PROPERTY**

The Director of Louisville Metro Development Authority has carefully reviewed the Louisville/Jefferson County Metro Government's needs for land or improvements used in the administration of Metro programs and to conduct municipal business. This office has determined that the parcel of real property identified below owned by City of Louisville/Jefferson County metro Government as the successor to the City of Louisville, and which is being scheduled for action by the Louisville Metro Council, is not needed or suitable for any specific municipal use. Further this property was originally acquired for the purpose of disposing of the property herein in a manner consistent with the Louisville/Jefferson county Metro Government's redevelopment objectives and programs.

Property described on Exhibit A, attached hereto.

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**Bruce Traughber**  
**Director**  
**Louisville Metro Development Authority**